IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

WEDNESDAY, THE 19TH JULY 2006 / 28TH ASHADHA,1928

Bail Appl..No. 4275 of 2006

(CRIME NO.18/2006 OF AMBALAVAYAL POLICE STATION)

PETITIONER/ACCUSED

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1. SREEDHARAN,
   S/O.APPU NAIR, KARIYATHUKAVU HOUSE,
   AMBALAVAYAL.

2. BABU @ KARI OIL BABU,
   S/O.CHATHAN, THEKKEDATH HOUSE,
   AMBALAVAYAL.

BY ADV. SRI.K.P.MUJEEB

RESPONDENTS: COMPLAINANT

STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR T.K. KUNHABDULLA

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 19/07/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A.4275/2006

DATED THIS THE 19TH DAY OF JULY, 2006

O R D E R

The petitioners are accused 7 and 8, in crime No.18/2006 of Ambalavayal Police Station. They, along with others are accused of the offence punishable under Sections 143, 147, 148, 452, 332, 353, 308 and 225 IPC read with Section 149 IPC., and also under Section 3 (1)(ii) of the P.D.P.P.Act. The learned Public Prosecutor submitted that one Nanu was arrested in crime No.17/2006 of the same police station. Accused 1 to 9 and about 200 persons criminally trespassed into the police station, got the accused Nanu released from the custody of the police and also caused damage to the police jeep. They also caused some injuries to the police personnel. Hence the crime had been registered. The petitioners are before this Court, under Section 438 Cr.P.C.

2. The prosecution submits that the investigation is complete and the case is now pending as

C.P.No.17/2006 before the Judicial Magistrate of First Class-I, Sulthan Bathery. Considering the facts of this case, I direct the petitioners to surrender before the Judicial Magistrate of First Class-I, Sulthan Bathery, and move an application for bail, after serving copy of the same, to the APP of that Court well in advance, and the learned Magistrate shall pass appropriate orders, on the same day itself, on merit.

The application is disposed of as above.

J.M.JAMES
JUDGE

mrcs